

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 RICHARD POWELL,

4 Plaintiff

Case No. 3:20-cv-00188-RCJ-WGC

**ORDER**

5 v.

6 WASHOE COUNTY DETENTION  
7 FACILITY, *et al.*,

8 Defendants

9 **I. DISCUSSION**

10 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections  
11 (“NDOC”), submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and filed an  
12 application to proceed *in forma pauperis*. (ECF Nos. 1-1, 1).

13 Plaintiff’s application to proceed *in forma pauperis* is incomplete. Pursuant to 28  
14 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to  
15 proceed *in forma pauperis* and attach both an inmate account statement for the past six  
16 months and a properly executed financial certificate. Plaintiff has not submitted a properly  
17 executed financial certificate signed by an authorized officer of the facility or an inmate  
18 account statement for the past six months. (See ECF No. 1). As such, the *in forma*  
19 *pauperis* application is denied without prejudice. Plaintiff will be granted an opportunity  
20 to cure the deficiencies of his application to proceed *in forma pauperis*, or in the  
21 alternative, pay the full \$400 filing fee for this action. If Plaintiff chooses to file a new  
22 application to proceed *in forma pauperis*, he must file a fully complete application to  
23 proceed *in forma pauperis*, including an inmate account statement for the past six months  
24 and a properly executed financial certificate signed by an authorized officer of the facility.  
25 The Court will retain Plaintiff’s civil rights complaint (ECF No. 1-1) but will not file it until  
26 the matter of the payment of the filing fee is resolved.

27 **II. CONCLUSION**

28 For the foregoing reasons, IT IS ORDERED that Plaintiff’s application to proceed

1 *in forma pauperis* (ECF No. 1) is DENIED without prejudice to file a new application.

2 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the  
3 approved form application to proceed *in forma pauperis* by a prisoner, as well as the  
4 document entitled information and instructions for filing an *in forma pauperis* application.

5 IT IS FURTHER ORDERED that within **sixty (60) days** from the date of this order,  
6 Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis*, on  
7 the correct form with complete financial attachments in compliance with 28 U.S.C. §  
8 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing  
9 fee and the \$50 administrative fee).

10 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
11 dismissal of this action may result.

12 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint  
13 (ECF No. 1-1) but will not file it at this time.

14 DATED: March 25, 2020

15  
16 William G. Cobb  
UNITED STATES MAGISTRATE JUDGE